

RESOLUTION NO. 4459

(Direct Land Sale to Henderson Redevelopment Agency – 5.14 Net Acres Located at Boulder Highway and Broadbent Boulevard)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, CLARK COUNTY, NEVADA EXPRESSING INTENT TO SELL APPROXIMATELY 5.14 ACRES, MORE OR LESS, OF REAL PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF BOULDER HIGHWAY AND BROADBENT BOULEVARD IN HENDERSON, NEVADA, IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 161-35-302-007 AND LOCATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 35, TOWNSHIP 21 SOUTH, RANGE 62 EAST, M.D.M. TO THE HENDERSON REDEVELOPMENT AGENCY PURSUANT TO NRS 277.050

WHEREAS, the City of Henderson ("City") owns approximately 7.88 acres, more or less, of vacant real property commonly known as Assessor's Parcel Number ("APN") 161-35-302-007, located at the southeast corner of Boulder Highway and Broadbent Boulevard in Henderson, Nevada (the "City Parcel"); and

WHEREAS, approximately 2.74 acres of the City Parcel are encumbered by a Nevada Department of Transportation ("NDOT") right-of-way easement for Boulder Highway (the "Boulder Highway Parcel") and, upon City's remapping of the City Parcel to separate the Boulder Highway Parcel, will leave approximately 5.14 acres of the City Parcel available for redevelopment purposes (the "Property"); and

WHEREAS, the City may sell certain City-owned real property to another public agency pursuant to the provisions of Nevada Revised Statutes ("NRS") 277.050 and the Henderson City Charter; and

WHEREAS, the Henderson Redevelopment Agency ("Agency") is a governmental entity formed, existing and exercising its powers pursuant to the provisions of the Community Redevelopment Law, Nevada Revised Statute Sections 279.382, et seq. ("Community Redevelopment Law") and is a "public agency" as that term is used in NRS 277.050; and

WHEREAS, the Agency has been negotiating with Nevada H.A.N.D., Inc., a Nevada nonprofit corporation ("Developer") for the purchase and redevelopment of the Property; and

WHEREAS, Developer proposes to construct a project on the Property in conjunction with St. Jude's Ranch for Children to provide a minimum of 150 units of affordable housing between 30%-80% of Area Median Income ("AMI"), including 60 units of affordable housing for youth aging out of foster care ("Project"). The Project campus will include a resource center, fitness center, library, technology lab for residents, a thrift store with workforce development opportunities, and possibly a child care center, among other things, on the Property; and

WHEREAS, the Property and the Project are within the Eastside Redevelopment Area; and

WHEREAS, City intends to sell the Property to the Agency for the express purpose of Agency conveying the Property to Developer for the development of the Project consistent with NRS 279.425 and the provision of affordable housing for the benefit of the redevelopment area; and

WHEREAS, the Property has been appraised and the fair market value established at Two Million Sixty Thousand and No/100 Dollars (\$2,060,000.00); and

WHEREAS, pursuant to the provisions of NRS 277.050, the City Council may sell real property to another public agency without advertising for public bids so long as the purchase price is at least equal to the current appraised value of the real property; and

WHEREAS, pursuant to NRS 277.050(6), notice of the adoption of the resolution and of the time and place of the public meeting must be published in a newspaper of general circulation published in the county in which the public agency or any part thereof is situated, not less than twice, on successive days, the last publication to be not less than 7 days before the date of the public meeting; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Henderson, Nevada that:

SECTION 1. The City Council finds that the sale of the Property to the Agency pursuant to NRS 277.050, without first offering the Property to the public, in the manner set forth in this Resolution and the Notice of Sale attached hereto as Exhibit A, consisting of one (1) page, which is hereby made a part of this Resolution (collectively, this “Resolution”), will be in the best interest of the public.

SECTION 2. The price for which the Property may be sold is hereby designated as Two Million Sixty Thousand and No/100 Dollars (\$2,060,000.00), which is equal to the current appraised value of the Property, plus all of City’s costs of remapping the City Property into a saleable parcel, and the costs of the appraisal, and such price must be paid in cash.

SECTION 3. The sale of the Property shall be subject to the Agency selling the Property to the Developer for the purposes stated herein, and the City’s sale of the Property shall only occur when and if the Agency’s sale to the Developer is imminent. The sale shall be subject to the City Council’s approval of a written purchase and sale agreement between the City and Agency in accordance with the terms and conditions set forth herein and such additional terms and conditions as may be approved by the City Council.

SECTION 4. The public meeting at which City Council will consider approval of a purchase and sale agreement between the City and Agency is January 25, 2022, at 4:00 p.m., or as soon after such time as practicable, in the City Council Chambers, 240 Water Street, Henderson, Nevada 89015.

SECTION 5. The City Clerk is hereby authorized and directed to have the notice of the adoption of this Resolution published in a newspaper of general circulation published in the county in which the public agency is situated, not less than twice, on successive days, the last publication to be not less than seven days before January 25, 2022.

SECTION 6. The City Clerk is hereby authorized and directed to post this Resolution in those designated public places within the City set forth in the Notice of Sale, and to publish the Notice of Sale not less than 30 days prior to January 25, 2022.

SECTION 7. A copy of this Resolution can be obtained in the Office of the City Clerk, 240 Water Street, Henderson, Nevada.

SECTION 8. This Resolution is effective upon adoption unless stated otherwise in the notice.

PASSED, ADOPTED, AND APPROVED THIS 21ST DAY OF DECEMBER, 2021, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.

Those voting aye:
Debra March, Mayor
Councilmembers:
John F. Marz
Michelle Romero
Dan K. Shaw
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: None

Debra March, Mayor

ATTEST:

Jose Luis Valdez, CMC, City Clerk

Exhibit A
NOTICE OF SALE

NOTICE IS HEREBY GIVEN that the City of Henderson, Nevada, a municipal corporation and political subdivision of the State of Nevada, intends to sell that certain real property consisting of approximately 5.14 acres, more or less, of vacant real property commonly known as Assessor's Parcel Number ("APN") 161-35-302-007, located at the southeast corner of Boulder Highway and Broadbent Boulevard in Henderson, Nevada (the "Property") without first offering the Property to the public, pursuant to NRS 277.050, subject to the following:

DATE, TIME, AND PLACE OF PROPOSED SALE

The Property is to be sold to the Henderson Redevelopment Agency for Two Million Sixty Thousand and No/100 Dollars (\$2,060,000.00), which is equal to the current appraised value of the Property, plus all of City's costs of remapping the City Property into a saleable parcel, and the costs of the appraisal, to be paid in cash, pursuant to NRS 277.050.

The public meeting at which City Council will consider approving a binding purchase and sale agreement between the City and Agency is January 25, 2022, at 4:00 p.m., or as soon after such time as practical, in the City Council Chambers, 240 Water Street, Henderson, Nevada 89015.

Resolution No. ___ and this Notice of Sale shall be posted at the Henderson Multigenerational Center, 250 S. Green Valley Parkway; City Hall, 240 Water Street, 1st Floor Lobbies; Whitney Ranch Recreational Center, 1575 Galleria Drive; and Fire Station No. 86, 1996 E. Galleria Drive. Any interested party may obtain copies of the resolution and notice in the Office of the City Clerk, 240 Water Street, Henderson, Nevada.

THIS NOTICE IS GIVEN pursuant to and subject to Section 2.320 of the Charter of the City of Henderson, Nevada.

For more information, contact the City Clerk's Office at 240 Water Street, P.O. Box 95050, Henderson, Nevada 89009-5050.

DATED this ____ day of December 2021.

JOSE LUIS VALDEZ, CMC, CITY CLERK